

The Executive
Personnel Director
Medical Waivers

21 November, 1949

In accordance with your request, a discussion has been held on this subject with General Counsel, CIA Surgeon, and the Chief, Special Support Staff.

After hypothetical descriptions were given, the General Counsel stated that a waiver signed by any individual would not be worth its salt if a case was presented to the Bureau of Employees Compensation. The General Counsel based such statement on the Regulations of the U.S. Employees Compensation Commission, effective 1 June 1938, as amended to 30 June 1949.

Section 1.5: No official superior is authorized to require an employee to enter into any agreement, either before or after an injury, to waive his right to claim compensation.

The General Counsel also stated, that any waiver presented by the Agency in a claim action, would be considered by the Compensation Commission to fall within the purview of this section.

Inasmuch as it would appear that processing a waiver does not release the Agency from its responsibility, it is recommended that no waiver be granted personnel destined for overseas assignment.

WILLIAM J. KELLY

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Changed To:	TS S C
File No.	14-71-78
By:	35